

FILED  
MAR 29 PM 3:26  
CLERK OF THE COURT  
YUMA COUNTY ARIZONA 85364

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YUMA

IN THE MATTER OF: )  
APPOINTMENT OF A PRESIDING )  
JUSTICE OF THE PEACE FOR )  
YUMA COUNTY )

Administrative Order 96-09

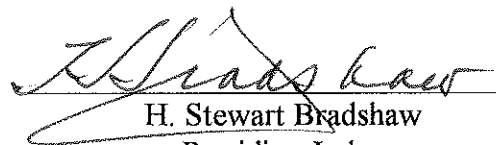
Pursuant to Supreme Court Administrative Rule V-A and VI-A, Section two it is  
ordered:

1. A Presiding Justice of the Peace for Yuma County is approved with the advice  
and consent of the Honorable Richard W. Donato, Honorable Manuel Figueroa and  
Honorable J. K. Milam.

2. Upon unanimous vote of the Justices of the Peace of Yuma County, the  
Honorable Richard W. Donato is appointed Presiding Justice of the Peace.

3. The term of office shall be the date of this order through December 31, 1996.

Done in Court this 29<sup>th</sup> day March, 1996.

  
H. Stewart Bradshaw  
Presiding Judge

**IN THE SUPERIOR COURT  
OF THE STATE OF ARIZONA**

**CLERK'S CERTIFICATE  
OF MAILING**

No. AO96-09

Title: Re: Appt. of Presiding Justice of Peace

I, BEVERLY FRAME, Clerk of Superior Court of Yuma County, State of Arizona, hereby certify that the attached and foregoing is a true and correct copy of ORDER I caused to be mailed on March 29, 1996, that said documents were placed in envelope, sealed and addressed to the following person and address, that said envelopes were placed in the United States Post Office, postage prepaid, at Yuma, Arizona on March 29, 1996.

Hon. Stanley Feldman, Chief Justice; Dave Byers, Administrative Director, AOC; Judges of Superior Court; Judges Pro Tempore; Justices of the Peace; City Magistrates; Ben Rowe, Jr., Juv. Ct.; Marty Krizay, Chief Adult Probation Officer; Beverly Frame, Clerk of Court; David Ellsworth, County Attorney; Harold Aldrich, Acting County Administrator; Cherlene Penilla, Personnel Director;

IN WITNESS WHEREOF I hereunto set my hand and official seal March 29, 1996.

**BEVERLY FRAME, Clerk of Superior Court**

By \_\_\_\_\_  
Deputy Clerk


***SUPERIOR COURT  
STATE OF ARIZONA***

***H. STEWART BRADSHAW***  
*PRESIDING JUDGE*

***YUMA COUNTY, ARIZONA***

***STEVEN C. GALLAHER***  
*SUPERIOR COURT ADMINISTRATOR*

**MEMORANDUM**

DATE: March 29, 1996  
TO: Judge Bradshaw  
FROM: Steve Gallaher   
SUBJECT: Appointment of Presiding Justice of the Peace

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I have attached, for your convenience, Rules V-A, VI-A Section 2 and Administrative Order 93-30 (Revised). Please note:

1. Rule VI-A, Section 2, part II describes the term of office.
2. VI-A, Section 2, part III, C. addresses the authority of the Presiding Judge to approve the appointment and termination of a Justice Court Administrator.



# Supreme Court

Stanley G. Feldman  
Chief Justice

STATE OF ARIZONA  
ADMINISTRATIVE OFFICE OF THE COURTS

David K. Byers  
Administrative Director  
of the Courts

## MEMORANDUM

TO: Presiding Superior Court Judges  
Justices of the Peace  
Presiding Municipal Court Judges  
Clerks of the Court  
Court Administrators

FROM: Agnes Felton *AF*

DATE: August 12, 1993

RE: REVISED ADMINISTRATIVE ORDER 93-30  
ADMINISTRATIVE RULES GOVERNING PRESIDING JUDGES

As a follow up to Dave Byer's memo of June 15, 1993, regarding Administrative Rules Governing Presiding Judge, attached is a revision to the order specifying which orders have been rescinded by it.

If you have questions, please call me at 542-9334.

DB/llb  
Attachment

c: Chief Justice  
Supreme Court Justices  
Chief Judges of the Court of Appeals  
Noel Dessaint  
Joyce Goldsmith  
Glen Clark  
AOC Division Directors

*copies to judges + state*

## **ADMINISTRATIVE RULE VI-A, Section 2**

### **PRESIDING JUSTICE OF THE PEACE**

- I. **Election** - In counties with four or more justices of the peace, a presiding justice of the peace will be chosen by vote of the justices of the peace in the particular county, with the advice and consent of the presiding judge of the county. Presiding justices of the peace may be reelected for subsequent terms. In case of a tie vote of the justices of the peace, the presiding judge of the county shall make the selection.
- II. **Term of Office** - The presiding justice of the peace shall serve a term of two (2) years, subject to reelection, starting on a January 1 and expiring on a December 31.
- III. **Duties:**
  - A. Presiding justices of the peace shall perform administrative duties delegated to them by the presiding judge of the superior court in their respective counties, based on the authority of the Supreme Court to exercise administrative supervision over the courts pursuant to the Arizona Constitution Article 6 and Administrative Rules delegating that supervision to the presiding judge of the superior court. Such duties as are appropriate may be delegated to a justice court administrator.
  - B. Presiding justices of the peace shall coordinate annual budget preparation for the justice courts and submit the coordinated justice courts' budget to the presiding judge of the county for the coordinated county budget submitted to the Board of Supervisors.
  - C. Presiding justices of the peace may appoint or terminate, with the approval of the presiding judge of the county, a justice court administrator.
  - D. In counties that do not have a justice court administrator, where the duty is not delegated to one, or where the presiding judge of the county has not otherwise provided administrative services for the justice courts:

- (1) Presiding justices of the peace shall supervise the administration of the judicial and internal administrative functions of the justice courts in a professional manner, using appropriate management techniques to organize and direct the efficient operation of the courts in the following areas:

- Personnel
- Training
- Facilities
- Procurement
- Finance

That supervision includes supervision of the judges and judicial staff, and non-judicial staff, while they are performing work for the court.

- (2) Presiding justices of the peace shall supervise the justice courts' court administrator.
- (3) Presiding justices of the peace shall coordinate establishment of uniform docketing, calendaring and case management policies and procedures in the justice courts of the county.
- (4) Presiding justices of the peace shall coordinate establishment of justice court automation systems in their counties with the assistance and concurrence of the presiding judge of the county.
- (5) With the assistance of the presiding judge of the county, presiding justices of the peace shall coordinate establishment of a uniform bond schedule in the justice courts of their counties in coordination with the municipal courts in the county.
- (6) Presiding justices of the peace shall coordinate compliance by the justice courts in their counties with statistical reporting, jury management, and records management policies and procedures established by the Supreme Court.

## **ADMINISTRATIVE RULE VII-A, Section 2**

### **PRESIDING JUDGE - MUNICIPAL COURT**

- I. **Appointment** - Presiding municipal court judges shall be selected in a manner provided by the charter or ordinances of the city or town, except in cities and towns which transfer that responsibility to the presiding judge of the county.
- II. **Term of Office** - The presiding municipal court judge shall serve a term as established by the appointing authority.
- III. **Duties:**
  - A. Presiding municipal court judges shall perform administrative duties delegated to them by the presiding judge of the county. Such duties as are appropriate, may be delegated to a municipal court administrator.
  - B. Presiding municipal court judges may appoint a court administrator according to local charter or ordinance provisions.
  - C. Presiding municipal court judges shall supervise the administration of the judicial and internal administrative functions of the municipal court including:
    - (1) Determining judicial assignments for each judge and, within guidelines established by city or town council, establishing and maintaining standard working hours and times to effectively discharge those assignments;
    - (2) Being responsible for the supervision of judges and judicial and non-judicial staff who directly affect the operation of the court; and
    - (3) Delegating duties and responsibilities to judges, judicial and non-judicial personnel as necessary.
  - D. Presiding municipal court judges shall work with the presiding judge of the county to assure selection of judges pro tempore in the municipal court is consistent with administrative order 93-17.

E. In cities without a court administrator or where the duty is not delegated to one:

- (1) Presiding judges of the municipal court shall prepare the annual budget request for the court.
- (2) Presiding municipal court judges shall supervise the administration of the judicial and internal administrative functions of the municipal courts in a professional manner, using appropriate management techniques to organize and direct the efficient operation of the court in the following areas:
  - Personnel
  - Training
  - Facilities
  - Procurement
  - Finance

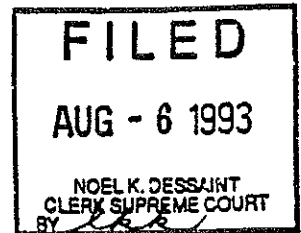
That supervision includes supervision of the judges and judicial staff, and non-judicial staff, while they are performing work for the court.

- (3) Presiding municipal court judges shall establish docketing, calendaring and case management policies and procedures.
- (4) Presiding municipal court judges shall establish automation systems with the assistance and concurrence of the presiding judge of the county.
- (5) With the assistance of the presiding judge of the county, presiding municipal court judges shall establish bond schedules in coordination with the justices of the peace in the county.
- (6) Presiding municipal court judges shall comply with statistical reporting, jury management and records management policies and procedures established by the Supreme Court.



THE SUPREME COURT OF THE STATE OF ARIZONA

Administrative Order No. 93-30 - Revised



ORDER APPROVING

ADMINISTRATIVE RULES V-A, PRESIDING JUDGE-SUPERIOR COURT;  
VI-A SECTION 2, PRESIDING JUSTICE OF THE PEACE; AND  
VII-A SECTION 2, PRESIDING JUDGE-MUNICIPAL COURT

IT IS ORDERED approving Administrative Rules V-A, Presiding Judge-Superior Court; VI-A Section 2, Presiding Justice of the Peace; and VII-A Section 2, Presiding Judge-Municipal Court as set forth in the attachment hereto, effective June 15, 1993.

This order replaces administrative orders 92-2, 91-36, 90-3, 6-30-80, 11-3-77 (In re Statistical Reports for Justice Courts and City Magistrate Courts), and 11-3-77 (In re Statistical Reports for Superior Courts.)

DATED in the City of Phoenix, Arizona at the  
Arizona Courts Building, this 6th day of  
August, 1993.

  
Stanley G. Feldman, Chief Justice

ADM93-30  
Attachment

THE SUPREME COURT OF THE STATE OF ARIZONA

Admin Order No. 93 - 30

FILED

JUN 11 1993

NOEL K. DESSAINT  
CLERK SUPREME COURT  
BY *[Signature]*

ORDER APPROVING

ADMINISTRATIVE RULES V-A, PRESIDING JUDGE-SUPERIOR COURT;

VI-A SECTION 2, PRESIDING JUSTICE OF THE PEACE; AND

VII-A SECTION 2, PRESIDING JUDGE-MUNICIPAL COURT

IT IS ORDERED approving Administrative Rules V-A, Presiding Judge-Superior Court; VI-A Section 2, Presiding Justice of the Peace; and VII-A Section 2, Presiding Judge-Municipal Court as set forth in the attachment hereto, effective June 15, 1993.

DATED in the City of Phoenix, Arizona at the  
Arizona Courts Building, this 11th day of  
June, 1993.

*[Signature]*  
STANLEY G. FELDMAN, CHIEF JUSTICE

Attachment

## **ADMINISTRATIVE RULE V-A**

### **PRESIDING JUDGE - SUPERIOR COURT**

- I. **Appointment** - In each county with two or more superior court judges, the Supreme Court shall appoint one of such judges presiding judge. The presiding judge shall serve as the presiding judge of the county. Presiding judges may be reappointed.
- II. **Term of Office** - The presiding judge of the superior court in each county shall serve a term of five (5) years. The term of the presiding judge may be extended as determined by the Supreme Court.

<NOTE: The terms of all presiding judges who have served five (5) years or more will expire December 31, 1993, subject to reappointment under I and II above.>

### **III. Duties -**

- A. Presiding judges shall be the Chief Judicial Executive Officers of their respective counties and shall exercise administrative supervision over the superior court and judges thereof in their counties; exercise administrative supervision over the clerk of the superior court; give direction to the court administrator; exercise administrative supervision over the justice of the peace courts in their counties; and exercise administrative supervision over the municipal courts in their counties. In counties with an associate presiding judge, and when so designated by the presiding judge, the associate presiding judge shall perform the duties of presiding judge of the superior court.
- B. Administrative supervision of the superior court shall include authority to:
  - (1) Make regular and special assignments of all superior court judges, except as otherwise provided by Arizona Revised Statutes Section 8-202(B), and, unless otherwise directed by the Chief Justice and in cooperation with other presiding judges, assign judges within the county to other counties.
  - (2) Exercise general supervision over all superior court personnel, not otherwise exercised by the individual judges.
  - (3) Prescribe the powers and duties of the clerk of the court, in addition to those prescribed by law and the Supreme Court.

- (4) Appoint with the approval of the Supreme Court an associate presiding judge to act during the absence or unavailability of the presiding judge or as defined above.

The presiding judges may delegate any and all of their powers to the associate presiding judge.

The associate presiding judge shall serve at the pleasure of the presiding judge and shall exercise and discharge all powers and duties of the presiding judge, except appointing court commissioners or appointing judges permanently to special assignments.

In order to facilitate the business of the court the presiding judge or associate presiding judge may delegate their duties to other judges.

- (5) Promulgate such local rules as a majority of the judges of the county may approve or as the Supreme Court shall direct.
- (6) Identify and develop programs that provide alternative methods for the resolution of civil disputes to which actions may be referred pursuant to the authority conferred by Rule 16(g) of the Arizona Rules of Civil Procedure, and promulgate such local rules as a majority of judges of the county may approve establishing and governing such alternative dispute resolution programs.
- (7) Appoint a chief adult probation officer.
- (8) Appoint a law library director.

- C. Presiding judges may develop and implement judicial branch personnel systems for the courts in their counties.
- D. Presiding judges shall determine the need for, and approve, the allocation of space and furnishings in the court building; the construction of new court buildings, courtrooms and related physical facilities; and the modification of existing court buildings, courtrooms and related physical facilities. This authority extends but is not limited to superior court, clerk of the superior court, adult probation, justice courts and municipal courts.
- E. Presiding judges shall meet on a regular basis with the presiding justices of the peace, presiding judges in the municipal courts, and justice court and municipal court administrators to discuss separation of powers, resources, use of technology and legal, administrative and other relevant issues to insure proper functioning and independence of the courts in the county.

- F. In counties with four or more justices of the peace, a presiding justice of the peace will be chosen by vote of the justices of the peace in the particular county, with the advice and consent of the presiding judge of the county. In case of a tie vote of the justices of the peace, the presiding judge of the county shall make the selection.
- G. Presiding judges may appoint a superior court administrator.
- H. Presiding judges shall submit to the Board of Supervisors a coordinated budget for the superior court, clerk of the superior court, adult probation, juvenile court and justice of the peace courts in their counties.
- I. Presiding judges shall assist the presiding justice of the peace and presiding municipal court judges in coordinating uniform bond schedules.
- J. Presiding judges shall obtain compliance with statistical reporting requirements from superior court, adult probation, juvenile court, justice courts and magistrate courts.
- K. Presiding judges shall coordinate and implement compatible information systems and technology at the local level for all jurisdictions within the county, improve information sharing, and encourage projects which utilize technology to increase accessibility and improve efficiency and court management within their jurisdictions.
- L. Presiding judges shall submit a written report, not less than every 18 months, to the Supreme Court and Arizona Judicial Council concerning plans made and progress achieved toward implementation of Admin Order 91-40, Access to Court Services.
- M. Presiding judges shall approve and coordinate applications for grant funds from all courts in their respective counties.
- N. Presiding judges shall, yearly, certify compliance, non-compliance and exemptions with Educational Policies and Standards.
- O. Presiding judges shall approve procedures for implementing sexual harassment policies in the courts in their counties.
- P. Presiding judges shall approve plans to implement the policy on access to court services by persons with disabilities, for the courts in their respective counties and report such plans to the Supreme Court.
- Q. Presiding judges may delegate any part of this order, as appropriate, to the presiding justice of the peace and presiding municipal court judges.